

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CHARLES WHITNEY,	)	
	)	
Plaintiff,	)	Civil Action No. 10-1705
	)	
v.	)	Judge Conti/
	)	Magistrate Judge Bissoon
R. BARKLEY; SAMUEL J. RYMAROWICZ;	)	
MARRY ANN LOCKETT; BRIAN V.	)	
COLEMAN; RHONDA HOUSE; Mr. BUZAS;	)	
Mr. WALKER; CORRECTIONAL OFFICER	)	
JOHN DOE 1; and CORRECTIONAL OFFICER	)	
JOHN DOE 2,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

The above-captioned pro se prisoner civil rights action filed by Charles Whitney (“Plaintiff”) was received by the Clerk of Court on December 20, 2010, and was referred to a magistrate judge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Local Civil Rules 72.C and D.

The magistrate judge’s Report and Recommendation, ECF No. [4], filed on February 9, 2011, recommended that the case be dismissed due to Plaintiff’s failure to prosecute and/or obey a court order, which required Plaintiff to either pay the filing fee or file a motion for leave to proceed *in forma pauperis*. Service of the Report was made on the Plaintiff at his address of record. Plaintiff was informed that, in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and the local rules, he had a specific period of time in which to file his objections. Plaintiff filed no objections.

Accordingly, after *de novo* review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 30th day of March, 2011,

IT IS HEREBY ORDERED that the case is dismissed with prejudice for Plaintiff's failure to obey a court order.

IT IS FURTHER ORDERED that the Report and Recommendation, ECF No. [4], filed on February 9, 2011 by Magistrate Judge Cathy Bissoon, is adopted as the opinion of the Court. The Clerk is to mark the case closed.

/s/ Joy Flowers Conti

Joy Flowers Conti  
U.S. District Judge

cc: The Honorable Cathy Bissoon  
United States Magistrate Judge

Charles Whitney  
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